

FILED

JUN 14 2013

Clerk, U.S. District Court
District Of Montana
Helena

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

MARLON CAMARILLO,

Petitioner,

vs.

LEROY KIRKEGARD; ATTORNEY
GENERAL OF THE STATE OF
MONTANA,

Respondent.

CV 13-64-BLG-SEH

ORDER

United States Magistrate Judge Carolyn Ostby entered her Findings and Recommendation¹ on May 21, 2013. Petitioner filed objections on June 4, 2013.² The Court reviews *de novo* findings and recommendations to which objection is made. 28 U.S.C. § 636(b)(1).

¹ Document No. 5.


² Document No. 6.

Upon *de novo* review of the record, I find no error in Magistrate Judge Ostby's Findings and Recommendation and adopt it in full.

ORDERED:

1. Petitioner's Petition for Writ of Habeas Corpus³ is DISMISSED.
2. The Clerk of Court is directed to enter a judgment of dismissal.
3. A certificate of appealability is DENIED because the procedural basis for dismissal is clear and inescapable.

DATED this 14th day of June, 2013.



SAM E. HADDON
United States District Judge

³ Document No. 1.